

JC10 Rec'd PCT/PTO 28 JUL 2005

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PATENT  
ATTORNEY DOCKET NO.: 056291-5184

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

Anderson J. RYAN

Application No.: 10/511,744

Filed: October 18, 2004

FOR: COMBINATION THERAPY FOR THE  
TREATMENT OF CANCER

Group Art Unit: 1646

Examiner: Unassigned

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop \_\_\_\_  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Date: July 28, 2005

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

**Citation of Related U.S. Patent Applications**

The Examiner's attention is directed to the following related co-pending U.S. patent applications:

<u>Examiner's Initials</u>	<u>Inventor</u>	<u>U.S. Serial No.</u> <u>Filing Date</u>	<u>U.S. Patent No.</u> <u>Issue Date</u>	<u>PCT Publ. No.</u> <u>Date</u>
	Davis et al.	09/890,989		00/48591 Aug. 24, 2000
	Thomas et al.	10/129,336 May 3, 2002		01/32651 May 10, 2001
	Curwen et al.	10/240,413 October 1, 2002		01/74360 October 11, 2001
	Davis et al.	10/240,213 April 4, 2003	6,906,048 June 14, 2005	01/74368 October 11, 2001

A copy of the specification and claims for each application, in the form of the published PCT application from which such application was filed, is being filed herewith. Copies of the U.S. patent documents are not enclosed.

**PLEASE DO NOT PRINT** the above information on the patent resulting from the subject application.

Consideration of each listed application is earnestly solicited since unpublished patent applications are contemplated as IDS material; see the exception in Rule 98(a)(2)(iii) and note the penultimate sentence of MPEP 609.

Further, in keeping with MPEP 609, Subsec. C(2), 2nd para., line 10 to end of the paragraph (especially note lines 18-25) PLEASE RETURN A COPY OF THIS LETTER with the Examiner's initials adjacent each above listing so that applicant will know that each listed application has been considered as required by PTO policy.

**Citation of Documents**

Attached is a Form PTO-1449 listing the enclosed foreign patent and literature documents. Copies of the U.S. patent documents are not enclosed.

The attached Form PTO-1449 lists references that were cited in an International Search Report dated August 8, 2003 in the corresponding PCT application from which the above-identified application is a U.S. national stage application. A copy of that International Search Report was filed in the above-identified application on October 18, 2004. The Notice of Acceptance in the above-identified application did not confirm receipt of the references cited in the International Search Report.

The present Information Disclosure Statement is being filed before the mailing date of the first Office Action on the merits, and therefore no certification under 37 CFR §1.97(e) or fee under 37 CFR §1.17(p) is required.

Should a first Action on the merits have been issued on the same day as or before this IDS is filed, please accept this IDS under Rule 97(c) and charge the requisite fee to our Deposit Account under Order No. 056291-5184 and proceed to consider this IDS.

This Information Disclosure Statement is intended to be in full compliance with the rules, but should the Examiner find any part of its required content to have been omitted, prompt notice

to that effect is earnestly solicited, along with additional time under Rule 97(f), to enable Applicant to fully comply.

Consideration of the foregoing and enclosures plus the return of a copy of the herewith filed Form PTO-1449 with the Examiner's initials in the left column per MPEP 609 along with an early action on the merits of this application are earnestly solicited.

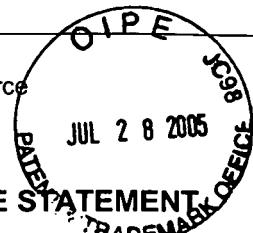
Except for issue fees payable under 37 C.F.R. §1.18, the Director is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully Submitted,  
**Morgan Lewis & Bockius LLP**

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FORM PTO-1449 (modified)  
To: U.S. Department of Commerce  
Patent and Trademark Office



Attorney Docket No. Client Ref.

056291-5184

Applicant: Anderson J. Ryan

Appln. No.: 10/511,744

Filing Date: October 18, 2004

Date: July 28, 2005 Examiner: Unassigned Group Art Unit: 1646

**U.S. PATENT DOCUMENTS**

Examiner's Initials*	Document Number	Date MM/YYYY	Name (Family Name of First Inventor)	Class	Sub Class	Filing Date (if appropriate)
	6,423,753 B1	07/2002	Dougherty			
1.	5,770,599	06/1998	Gibson			
2.	5,616,582	04/1997	Barker			
3.	5,457,105	10/1995	Barker			
4.	2003-0144298 A1	07/2003	Curwen et al.			
5.	2003-0166617 A1	09/2003	Davis et al.			

**FOREIGN PATENT DOCUMENTS**

	Document Number	Date MM/YYYY	Country	Inventor/Applicant Name	English Abstract		Translation Readily Available	
					Enclosed	No	Enclosed	No
6.	96/33980	03/1996	WO	Gibson (equivalent to US 6,770,599)				
7.	99/02166	01/1999	WO	Dougherty (equivalent to US 6,423,753)				
8.	00/48591	08/2000	WO	Davis et al.				
9.	01/32651 A1	05/2001	WO	Hennequin et al.				
10.	01/74360 A1	10/2001	WO	Curwen et al.				
11.	01/74368 A1	10/2001	WO	Davis et al.				
12.	02/056692 A1	07/2002	WO	Lee et al.				

**OTHER (Including in this order Author, Title, Periodical Name, Date, Pertinent Pages, etc.)**

13.	Baker et al., "Blockade of Vascular Endothelial Growth Factor Receptor and Epidermal Growth Factor Receptor Signaling for Therapy of Metastatic Human Pancreatic Cancer", <i>Cancer Research</i> , 62, April 2002, pp. 1996-2003		
14.	Blakey et al., "Antitumor Activity of the Novel Vascular Targeting Agent ZD6126 in a Panel of Tumor Models", <i>Clinical Cancer Research</i> , vol. 8, 2002, pp. 1974-1983		
15.	Bruns et al., "Vascular-targeting activity of ZD6126 against primary pancreatic tumour growth and lymph node metastasis following orthotopic tumour cell injection in a nude mouse model", <i>European Journal of Cancer</i> , vol. 38, Suppl. 7, November 2, p. 40		
16.	Chaplin et al., "The Development of Combretastatin A4 Phosphate as a Vascular Targeting Agent", <i>Int. J. Radiation Oncology Biol. Phys.</i> vol. 54, no. 5, 2002, pp. 1491-1496		
17.	Ciadiello et al., "Antitumor Effect and Potentiation of Cytotoxic Drugs Activity in Human Cancer Cells by ZD-1839 (Iressa)), an Epidermal Growth Factor Receptor-selective Tyrosine Kinase Inhibitor", <i>Clinical Cancer Research</i> , vol. 6, May 2000, pp. 2053-2063		

Examiner

Date Considered:

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



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	6,906,048	06/2005	Davis et al.			

## FOREIGN PATENT DOCUMENTS

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					Enclosed	No	Enclosed	No

## OTHER (Including in this order Author, Title, Periodical Name, Date, Pertinent Pages, etc.)

18.	Ciardiello et al., "Antiangiogenic and Antitumor Activity of Anti-Epidermal Growth Factor Receptor C225 Monoclonal Antibody in Combination with Vascular Endothelial Growth Factor Antisense Oligonucleotide of Human GEO Colon Cancer Cells", Clinical Cancer Research, vol. 6, September 2000, pp. 3739-3747		
19.	Ciardiello et al., "A Novel Approach in the Treatment of Cancer: Targeting the Epidermal Growth Factor Receptor", Clinical Cancer Research, vol. 7, no. 10, October 2001, pp. 2958-2970		
20.	Davis et al., "ZD6126: A Novel Vascular-targeting Agent That Causes Selective Destruction of Tumor Vasculature", Cancer Research, 62, December 2002, pp. 7247-7253		
21.	Grosios et al., "Combination Chemotherapy with Combretastatin A-4 Phosphate and 5-Fluorouracil in an Experimental Murine Colon Adenocarcinoma", Anticancer Research, 20, 2000, pp. 229-234		
22.	Horsman et al., "Combretastatins Novel Vascular Targeting Drugs for Improving the Anti-Cancer Therapy", Adv. Exp. Med. Biol. 2000, 476, pp. 311-323		
23.	Huang et al., "Modulation of Radiation Response and Tumor-induced Angiogenesis after Epidermal Growth Factor Receptor Inhibition by ZD1839 (Iressa)", Cancer Research, 62, August 2002, pp. 4300-4306		

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					Enclosed	No	Enclosed	No

#### OTHER (Including in this order Author, Title, Periodical Name, Date, Pertinent Pages, etc.)

24.	Li et al., "Preclinical Evaluations of Therapies Combining the Vascular Targeting Agent Combretastatin A-4 Disodium Phosphate and Conventional Anticancer Therapies in the Treatment of Kaposi's Sarcoma", <i>Acta Oncologica</i> , 41, 2002, pp. 91-97		
25.	Raben et al., "ZD1839, a Selective Epidermal Growth Factor Receptor Tyrosine Kinase Inhibitor, Alone and in Combination With Radiation and Chemotherapy as a New Therapeutic Strategy in Non-Small Cell Lung Cancer", <i>Seminars in Oncology</i> , vol. 29, no. 1, Suppl 4, February 2000, pp. 37-46		
26.	Siemann et al., "Vascular Targeting Agents Enhance Chemotherapeutic Agent Activities in Solid Tumor Therapy", <i>Int. J. Cancer</i> , 99, 2002, pp. 1-6		
27.	Siemann et al., "Enhancement of Radiation Therapy by the Novel Vascular Targeting Agent ZD6126", <i>Int. J. Radiation Oncology Bio. Phys.</i> , vol. 53, no. 1, 2002, pp. 164-171		
28.	Sirotnak et al., "Efficacy of Cytotoxic Agents against Human Tumor Xenografts Is Markedly Enhanced by Coadministration of ZD1839 (Iressa), and Inhibitor of EGFR Tyrosine Kinase", <i>Clinical Cancer Research</i> , vol. 6, December 2000, pp. 4885-4892		
29.	Thorpe et al., "The First International Conference on Vascular Targeting: Meeting Overview", <i>Cancer Research</i> , 63, March 2003, pp. 1144-1147		
30.	Viloria-Petit et al., "Acquired Resistance to the Antitumor Effect of Epidermal Growth Factor Receptor-blocking Antibodies <i>in Vivo</i> : A Role for Altered Tumor Angiogenesis", <i>Cancer Research</i> , 61, July 2001, pp. 5090-5101		

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